

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

LEONARD DION THOMPKINS, #658867 §
VS. § CIVIL ACTION NO. 6:11cv405
STATE OF TEXAS, ET AL. §

ORDER OF DISMISSAL

Plaintiff Leonard Dion Thompkins, a prisoner confined in the Texas prison system, proceeding *pro se* and *in forma pauperis*, filed this civil rights lawsuit pursuant to 42 U.S.C. § 1983. The complaint was referred to United States Magistrate Judge John D. Love, who issued a Report and Recommendation concluding that the complaint should be dismissed for failure to obey an order and for failure to prosecute because the Plaintiff failed to pay the initial partial filing fee. The Plaintiff filed objections and was given additional time to pay the initial partial filing fee. As of today, however, he still has not complied with the Court's order nor otherwise been in contact with the Court.

The Report of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and having made a *de novo* review of the objections raised by the Plaintiff, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections by the Plaintiff are without merit. Thus the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of the Court. It is accordingly

ORDERED that the complaint is **DISMISSED** without prejudice for failure to obey an order of the Court and for failure to prosecute. Fed. R. Civ. P. 41(b); Rule 41, Local Rules for the Eastern District of Texas. It is finally

ORDERED that all motions by either party not previously ruled on are hereby **DENIED**.

So ORDERED and SIGNED this 18th day of January, 2012.

A handwritten signature in black ink, appearing to read "LEONARD DAVIS".

**LEONARD DAVIS
UNITED STATES DISTRICT JUDGE**